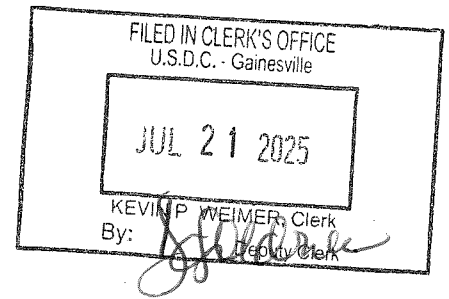


FREDERICK O. SILVER
21905 MOUNTAIN HWY E
UNIT 4143,
SPANAWAY, WA 98387-7583
E-mail: ASCLV1@gmail.com
Tel: (702) 473-0365



**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA.
ATLANTA DIVISION.**

FREDERICK O. SILVER
Plaintiff,

vs.

NATIONAL CREDIT SYSTEMS, INC.
Defendant.

CASE NO: 1:24-CV-03238-SCJ-AWH

District Judge: Steve C Jones

Magistrate Judge: Anna W. Howard

PLAINTIFF'S REPLY IN SUPPORT OF MOTION TO COMPEL.

Plaintiff Frederick O. Silver respectfully submits this Reply to Defendant's Response (ECF No. 30) in opposition to Plaintiff's Motion to Compel Discovery. For the reasons stated below, the Motion should be granted.

I. Discovery Was Properly Initiated in Good Faith

Defendant contends that Plaintiff's discovery requests are premature because no Rule 26(f) conference has been held. However, Plaintiff has acted in good faith and consistent with Rule 26(d)(1) by initiating early discovery in a case involving time-sensitive credit reporting harm. Courts have discretion to allow early discovery when justified by urgency and limited scope. See *Semitool, Inc. v. Tokyo Electron Am., Inc.*, 208 F.R.D. 273, 276 (N.D. Cal. 2002).

1 Plaintiff's requests are narrowly tailored and address critical evidence central
2 to the claims, **including the alleged assignment of the debt and validation under 15**
3 **U.S.C. §1692g(b)**. Denying early discovery under these circumstances would only
4 further prejudice Plaintiff's ability to protect his rights under the FCRA and FDCPA.

5 **II. Defendant's Validation Response Was Deficient**

6 Defendant asserts it provided sufficient validation in response to Plaintiff's dispute.
7 This is misleading. The FCRA and FDCPA require that upon notice of a dispute, the
8 furnisher or debt collector must conduct a reasonable investigation and produce
9 documentation sufficient to establish that the debt is valid and owed by the
10 consumer. See *Clark v. Capital Credit & Collection Servs., Inc.*, 460 F.3d 1162, 1173
11 (9th Cir. 2006).
12

13 In *Fields v. Wilber Law Firm, P.C.*, 383 F.3d 562 (7th Cir. 2004), the court held
14 that debt collectors must disclose the nature and amount of the debt with enough
15 detail for a consumer to dispute or verify it. Simply attaching lease fragments or
16 unexplained balances is insufficient.
17

18 Plaintiff has repeatedly requested:

- 19 1. A copy of the assignment or contract showing Defendant's authority to collect;
 - 20 2. A full itemized breakdown of the alleged debt;
 - 21 3. A signed court order, if any, authorizing enforcement;
 - 22 4. A ledger or history of payments and charges.
- 23

24 These are basic elements of due process and statutory compliance.
25

26 **III. Plaintiff's Motion Is Not Frivolous or Coercive**

27 Defendant's suggestion that Plaintiff's filings are coercive or frivolous is both
28 inappropriate and unfounded. Plaintiff is exercising his statutory rights in good faith


1 and using legal avenues to obtain evidence. The motion is supported by law and
2 grounded in Plaintiff's ongoing harm due to derogatory credit reporting.

3
4 Courts are clear that pro se litigants must not be held to a higher standard than
5 represented parties. See Haines v. Kerner, 404 U.S. 519, 520 (1972).

6 **IV. Conclusion**

7 For the foregoing reasons, Plaintiff respectfully requests that this Court grant the
8 Motion to Compel and order Defendant to produce the requested discovery
9 materials within **Ten (10) days**.

10
11 Dated: this 16th Day of July 2025.

12
13 
14 FREDERICK O. SILVER
15 21905 MOUNTAIN HWY E
16 UNIT 4143,
17 SPANAWAY, WA 98387-7583
18 E-MAIL: ASCLV1@GMAIL.COM
19 TEL: (702) 473-0365
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this PLAINTIFF'S MOTION FOR AN ORDER REQUIRING DEFENDANT TO PRODUCE NOTARIZED ASSIGNMENT OR CONTRACT AGREEMENT, was mailed to the Clerk of Court United States District Court for the Northern District of Georgia

US District Court Clerk

Located in: Richard B. Russell Federal Building

Address: 75 Ted Turner Dr NW #2211, Atlanta, GA 30303

and served on

Jonathan Green: Ga. Bar No. 307053

National Credit Systems, Inc.

1775 The Exchange SE, Atlanta, GA 30339

jgreen@nationalcreditsystems.com

Ph. 404.629.9595

KATRINA M. DEMARTE (MI Bar No. P81476; CO Bar No. 43135; GA Bar No. 821011)

DEMARTE LAW, PLLC

39555 Orchard Hill Place Suite 600 PMB 6338

Novi, MI 48375

313-509-7047 Katrina@demartelaw.com

Attorney for Defendant National Credit Systems, Inc.

By US Mail on this 16th day of July 2025



FREDERICK O. SILVER
21905 MOUNTAIN HWY E

UNIT 4143,
SPANAWAY, WA 98387-7583
E-MAIL: ASCLV1@GMAIL.COM
TEL: (702) 473-0365

FREDERICK SILVER
1:24-CV-09238

U.S. MARSHALS SERVICE
Gainesville, GA
JUL 1 2025
CLEARED SECURITY

Sidney O. Smith Federal Building &
United States Courthouse
121 Spring Street SE Room 201
Gainesville, GA 30501-3789

TACOMA WA 983
OLYMPIA WA
16 JUL 2025 PM 3 L

